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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/696,830

10/30/2003

Marwan A. Fathallah

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BRIAN R. WOODWORTH

275 N. FIELD DRIVE

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LAKE FOREST, IL 60045-2579

EXAMINER

LANDRY II, GERALD ERNEST

ART UNIT

PAPER NUMBER

3763

MAIL DATE

DELIVERY MODE

02/18/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/696,830	<b>Applicant(s)</b> FATHALLAH ET AL.	
	<b>Examiner</b> GERALD LANDRY II	<b>Art Unit</b> 3763	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-83 is/are pending in the application.
- 4a) Of the above claim(s) 21-71 and 78-83 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 and 72-77 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>02/05/2004, 06/09/2005</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

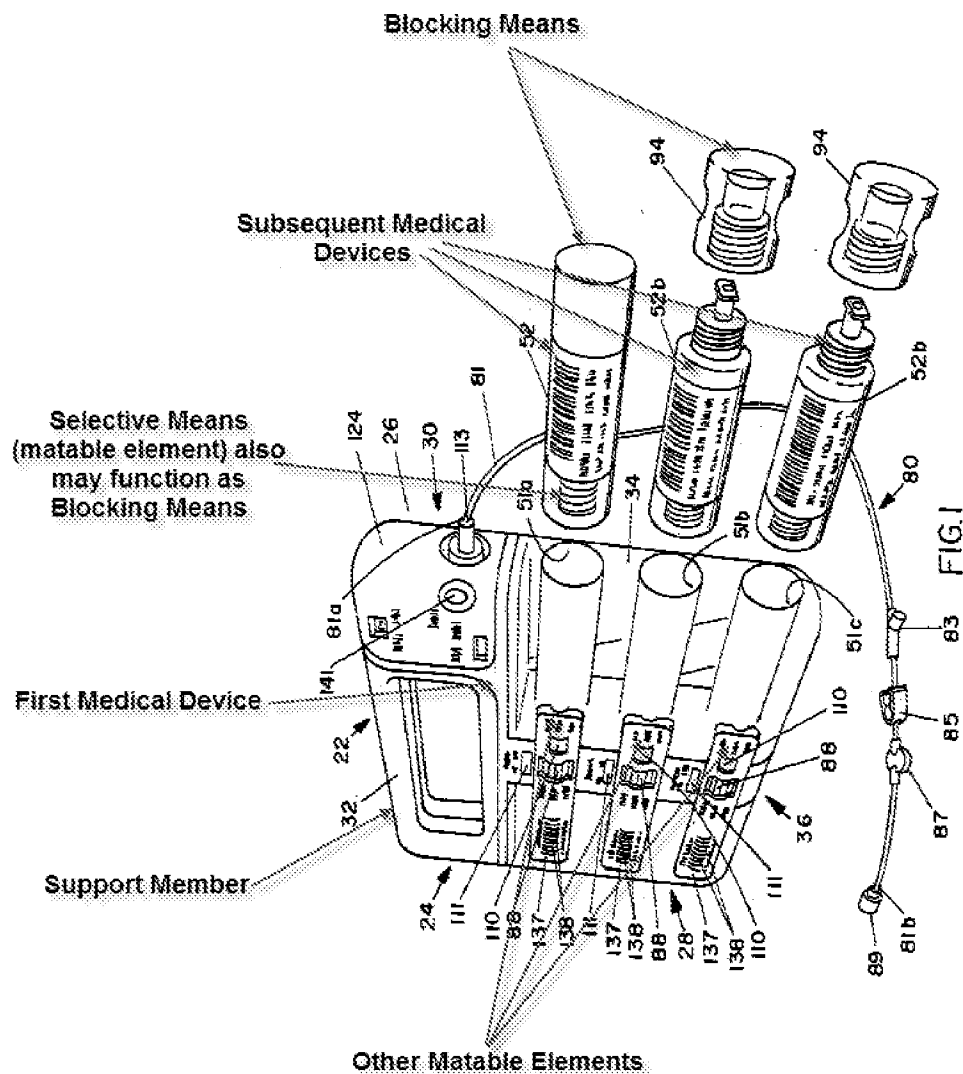
2. Claims 1-4, 8, and 13-16 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Pub. No. 2005/0038387 to Kriesel et al.

Regarding claims 1-4, 8, and 13-16, Kriesel teaches a plurality of medical devices including a first medical device and a second medical device; the first medical device including a housing having opposite sides, at least one of the opposite sides including a matable element; the second medical device including a housing having opposite sides, at least one of the opposite sides of the housing of the second medical device including a matable element for detachably interconnecting to the matable element of the first medical device and attaching the first and second medical devices; and wherein at least one of the medical devices includes a selective means for restricting the attachment of the second medical device to only one of the opposite sides of the first medical device housing (**refer to marked-up figure below**); wherein the at least one of the medical devices is provided with only a single matable element (**per mating condition (one device to another) this is satisfied by the first medical device**), constituting the selective means (**refer to marked-up figure below**); wherein the first medical device is

Art Unit: 3763

provided with two matable elements, one matable element being located on each of the opposite sides of the first medical device housing **(refer to marked-up figure below)**; wherein the selective means includes a locking element **(threads)** which restricts attachment of the second medical device to the first medical device to only one of the opposite sides of the first medical device once the first medical device is attached to a support member **(refer to marked-up figure below)**; wherein at least one of the medical devices includes a blocking means for preventing a third medical device from attaching to either the first or second medical devices once the first and second medical devices are attached **(refer to marked-up figure below)**; wherein the at least one of the medical devices is provided with only a single matable element, constituting the blocking means **(refer to marked-up figure below)**.

Art Unit: 3763



3. Claims 1, 3-11, 13, 15-19, 72, 73, 75, and 76 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,941,846 to Duffy et al.

Regarding claims 1, 3-11, 13, 15-19, 72, 73, 75, and 76, Duffy teaches a plurality of medical devices including a first medical device and a second medical device; the first medical device including a housing having opposite sides, at least one of the opposite sides including a matable element; the second medical device including a housing having opposite sides, at least

Art Unit: 3763

one of the opposite sides of the housing of the second medical device including a matable element for detachably interconnecting to the matable element of the first medical device and attaching the first and second medical devices; and wherein at least one of the medical devices includes a selective means for restricting the attachment of the second medical device to only one of the opposite sides of the first medical device housing (**refer to marked-up figures below**); wherein the first medical device is provided with two matable elements, one matable element being located on each of the opposite sides of the first medical device housing (**refer to marked-up figures below**); wherein the selective means includes a locking element which restricts attachment of the second medical device to the first medical device to only one of the opposite sides of the first medical device once the first medical device is attached to a support member (**refer to marked-up figures below**); wherein the first medical device includes a clamp mechanism for mounting at least one medical device to a support member (**refer to marked-up figures below**); wherein the clamp mechanism has a hole therein for slidably receiving the locking element, the locking element adapted to apply force on a component of the medical device when the clamp body is affixed to a support member (**refer to marked-up figures below**); wherein the clamp mechanism has a slide-ratcheting means for permitting a user to close the clamp mechanism about the support member by application of linear force to the clamp mechanism (**refer to marked-up figures below**); wherein at least one of the medical devices includes a blocking means (**500**) for preventing a third medical device from attaching to either the first or second medical devices once the first and second medical devices are attached; wherein at least one of the medical devices includes a latch element which detachably locks the first and second medical devices together once the first and second medical devices are attached

Art Unit: 3763

**(the top and bottom mating elements satisfy the limitation of a latch element as shown in the marked-up figures below)**; wherein a release element is operatively associated with the latch element, the release element permitting a user to selectively disengage the latch element **(refer to marked-up figures below)**; wherein the first medical device includes the latch element, the first medical device is provided with two matable elements where one matable element is located on each of the opposite sides of the first medical device housing, and wherein the latch element extends from the first medical device housing side that is not adjacent the attached second medical device and is secured in a position which prevents a third medical device from being added to the first medical device once the first and second medical devices are attached **(refer to the second marked-up figure below the device on the left being the first medical device)**; wherein the matable element on the first medical device includes a ramped portion allowing the matable element on the first medical device to mate with the matable element on the second medical device when the matable elements are not precisely aligned **(refer to marked-up figures below)**; wherein the matable element on the second medical device includes a tapered portion allowing the matable element on the first medical device to mate therewith when the matable elements are not precisely aligned **(refer to marked-up figures below)**.

Art Unit: 3763

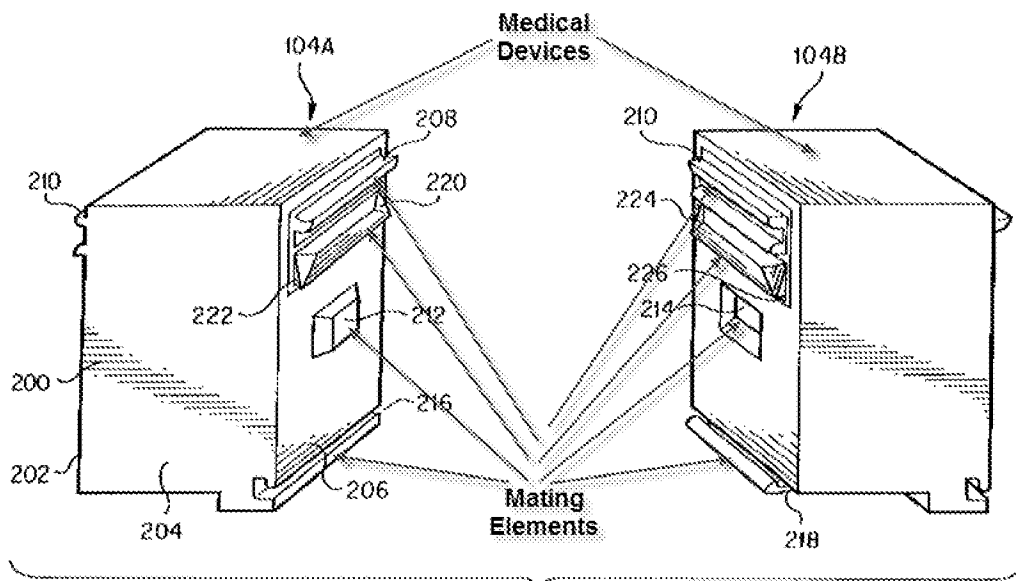


FIG. 2

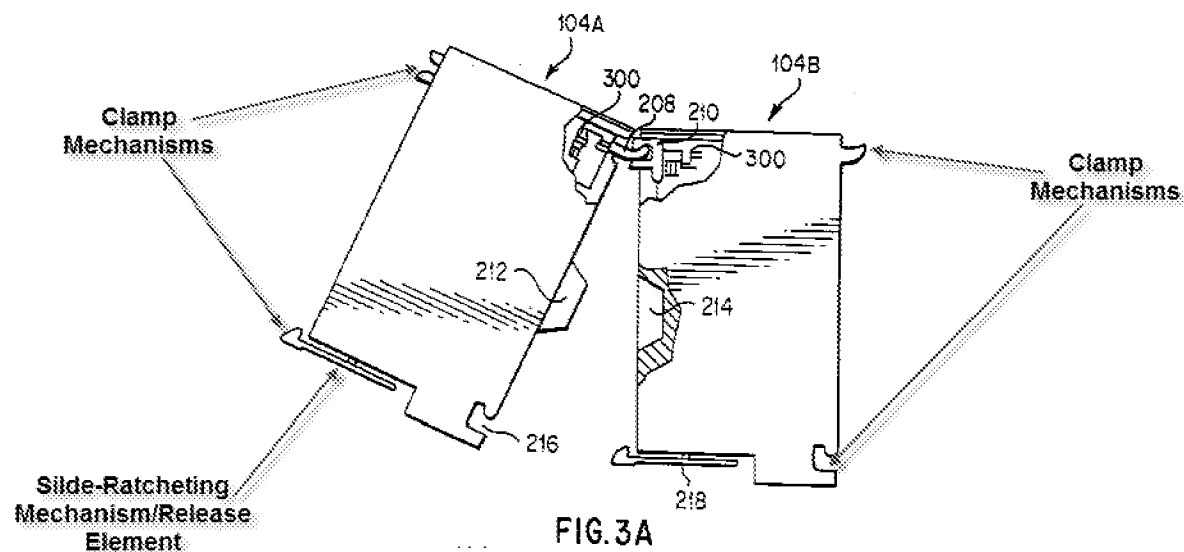


FIG. 3A

4. Claims 1, 3-11, 13, 15-19, and 72-77 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,431,509 to Anderson et al.

Regarding claims 1, 3-11, 13, 15-19, and 72-77, Anderson teaches a plurality of medical devices including a first medical device and a second medical device; the first medical device including a housing having opposite sides, at least one of the opposite sides including a matable



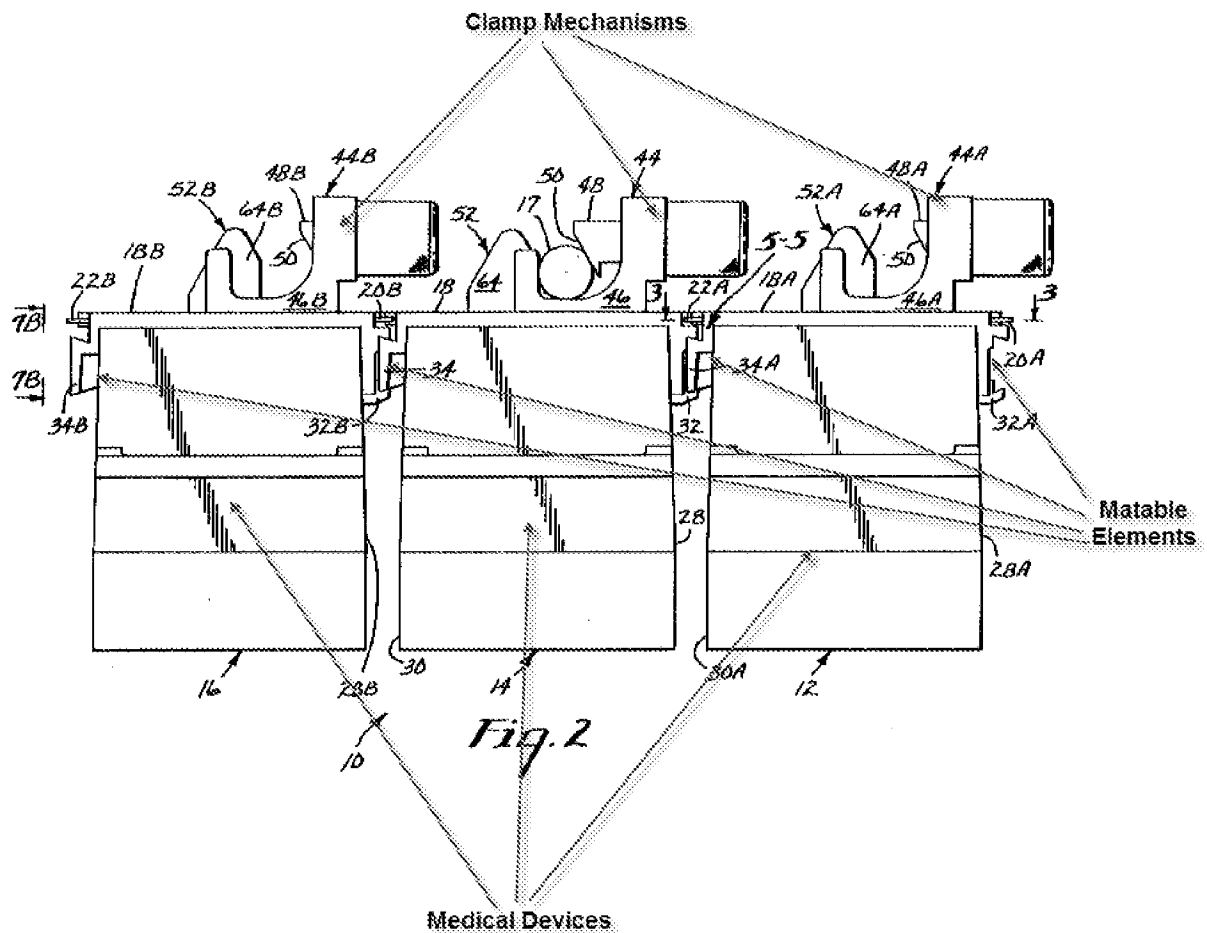
Art Unit: 3763

element; the second medical device including a housing having opposite sides, at least one of the opposite sides of the housing of the second medical device including a matable element for detachably interconnecting to the matable element of the first medical device and attaching the first and second medical devices; and wherein at least one of the medical devices includes a selective means for restricting the attachment of the second medical device to only one of the opposite sides of the first medical device housing; wherein the first medical device is provided with two matable elements, one matable element being located on each of the opposite sides of the first medical device housing; wherein the selective means includes a locking element which restricts attachment of the second medical device to the first medical device to only one of the opposite sides of the first medical device once the first medical device is attached to a support member; wherein the first medical device includes a clamp mechanism for mounting at least one medical device to a support member; wherein the clamp mechanism has a hole therein for slidably receiving the locking element, the locking element adapted to apply force on a component of the medical device when the clamp body is affixed to a support member; wherein the clamp mechanism has a slide-ratcheting means for permitting a user to close the clamp mechanism about the support member by application of linear force to the clamp mechanism **(refer to marked-up figure below)**; wherein at least one of the medical devices includes a blocking means **(column 4 lines 9-25 (first position of latching arm))** for preventing a third medical device from attaching to either the first or second medical devices once the first and second medical devices are attached; wherein at least one of the medical devices includes a latch element **(26, 38, also refer to mating elements in marked-up figure below)** which detachably locks the first and second medical devices together once the first and second medical devices are

Art Unit: 3763

attached; wherein a release element is operatively associated with the latch element, the release element permitting a user to selectively disengage the latch element **(refer to marked-up figure below)**; wherein the first medical device includes the latch element, the first medical device is provided with two matable elements where one matable element is located on each of the opposite sides of the first medical device housing, and wherein the latch element extends from the first medical device housing side that is not adjacent the attached second medical device and is secured in a position which prevents a third medical device from being added to the first medical device once the first and second medical devices are attached **(refer to marked-up figure below)**; wherein the matable element on the first medical device includes a ramped portion allowing the matable element on the first medical device to mate with the matable element on the second medical device when the matable elements are not precisely aligned **(refer to marked-up figure below)**; wherein the matable element on the second medical device includes a tapered portion allowing the matable element on the first medical device to mate therewith when the matable elements are not precisely aligned **(refer to marked-up figure below)**; wherein the matable elements are corresponding male T-slides and female T-slots **(refer to marked-up figure below)**.

Art Unit: 3763



5. Claims 1-20, 72, 73, 75, and 76 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,713,856 to Eggers et al.

Regarding claims 1-20, 72, 73, 75, and 76, Eggers teaches a plurality of medical devices including a first medical device and a second medical device; the first medical device (**100**) including a housing having opposite sides, at least one of the opposite sides including a matable element; the second medical device including a housing having opposite sides, at least one of the opposite sides of the housing of the second medical device including a matable element for

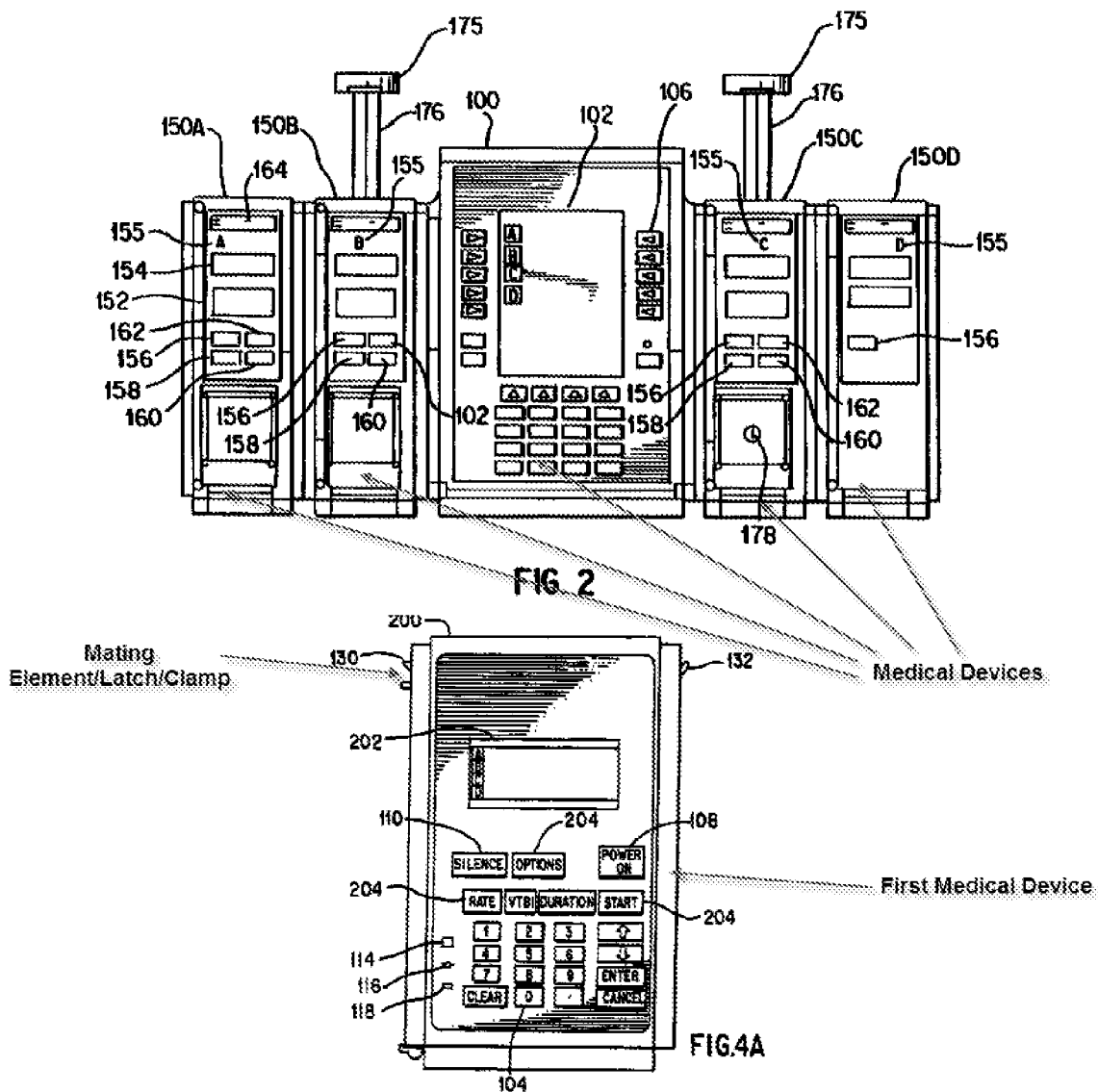
Art Unit: 3763

detachably interconnecting to the matable element of the first medical device and attaching the first and second medical devices; and wherein at least one of the medical devices includes a selective means for restricting the attachment of the second medical device to only one of the opposite sides of the first medical device housing; wherein the at least one of the medical devices is provided with only a single matable element, constituting the selective means **(refer to marked-up figures below)**; wherein the first medical device is provided with two matable elements, one matable element being located on each of the opposite sides of the first medical device housing **(refer to marked-up figures below)**; wherein the selective means includes a locking element which restricts attachment of the second medical device to the first medical device to only one of the opposite sides of the first medical device once the first medical device is attached to a support member **(due to opposing mating conditions shown on the first device, there is only one orientation to which additional devices may be attached; refer to marked-up figures below)**; wherein the first medical device includes a clamp mechanism **(170; best shown in figure 4B)** for mounting at least one medical device to a support member **(column 4 lines 43-47)**; wherein the clamp mechanism has a hole therein for slidably receiving the locking element, the locking element adapted to apply force on a component of the medical device when the clamp body is affixed to a support member **(implied in column 4 lines 43-47)**; wherein the clamp mechanism has a slide-ratcheting means for permitting a user to close the clamp mechanism about the support member by application of linear force to the clamp mechanism **(implied in column 4 lines 43-47)**; wherein at least one of the medical devices includes a blocking means for preventing a third medical device from attaching to either the first or second medical devices once the first and second medical devices are attached **(refer to marked-up**

Art Unit: 3763

**figures below (note only one matable element allowing only one device to be attached, therefore blocking the others))** wherein at least one of the medical devices includes a latch element which detachably locks the first and second medical devices together once the first and second medical devices are attached **(refer to marked-up figures below)**; wherein a release element is operatively associated with the latch element, the release element permitting a user to selectively disengage the latch element **(refer to marked-up figures below)**; wherein the first medical device includes the latch element, the first medical device is provided with two matable elements where one matable element is located on each of the opposite sides of the first medical device housing, and wherein the latch element extends from the first medical device housing side that is not adjacent the attached second medical device and is secured in a position which prevents a third medical device from being added to the first medical device once the first and second medical devices are attached **(refer to marked-up figures below)**; wherein the first and second medical devices each include a transceiver, the transceivers being aligned for communication between the medical devices once the first and second medical devices are attached **(implied in abstract: ...interface unit... transfer of information such as drug libraries, system configuration values...)**; wherein the matable element on the first medical device includes a ramped portion allowing the matable element on the first medical device to mate with the matable element on the second medical device when the matable elements are not precisely aligned; wherein the matable element on the second medical device includes a tapered portion allowing the matable element on the first medical device to mate therewith when the matable elements are not precisely aligned **(refer to marked-up figures below)**.

Art Unit: 3763



### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERALD LANDRY II whose telephone number is (571)270-7409. The examiner can normally be reached on M-F, 7:30 am - 5:00 pm.

Art Unit: 3763

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nicholas Lucchesi can be reached on 571-272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/GEL/

Examiner, Art Unit 3763

/Nicholas D Lucchesi/

Supervisory Patent Examiner, Art Unit 3763